IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE KURIAN JOSEPH

WEDNESDAY, THE 28TH MARCH 2007 / 7TH CHAITHRA 1929

WP(C).No. 18656 of 2003(U)

PETITIONER:
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1. VARGHESE MATHEW, S/O. E.P.SAMUEL, ERUTHICALPARAMBIL HOUSE, THODIYOOR P.O., PATHANAMTHITTA.

2. PHILIP SAMUEL S/O. E.P.SAMUEL, REPRESENTED BY HIS BROTHER VARGHESE MATHEW (1ST PETITIONER) POWER OF ATTORNEY HOLDER VARGHESE MATHEW, ERUTHICALPARAMBIL HOUSE, THODIYOOR P.O., PATHANAMTHITTA.

3. THE HEAD MISTRESS, GOVT.L.P.SCHOOL, THODIYOOR.

BY ADV. SRI.T.M.CHANDRAN

RESPONDENTS:
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1. THE EXECUTIVE OFFICER, EZHUMATTOOR GRAMA PANCHAYAT, THELLIYOOR P.O., PATHANAMTHITTA DISTRICT

2. THE DISTRICT COLLECTOR, PATHANAMTHITTA DISTRICT.

3. THE DISTRICT MEDICAL OFFICER, HEALTH DEPARTMENT, PATHANAMTHITTA.

4. ST.ANTONY'S CHURCH, THODIYOOR PO., PATHANAMTHITTA DISTRICT, REP.BY ITS VICAR.

BY GOVERNMENT PLEADER MANOJ FOR R2 & R3
SRI.SIBY MATHEW
SRI.A.A.MOHAMMED NAZIR
SRI.N.RADHAKRISHNAN
SRI.B.V.BALAKRISHNAN

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 28/03/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

PETITIONER'S EXHIBITS

Ext.P1: True copy of the order dated 19-5-1994 issued by the 2nd respondent (No.B4/46745/92/K-Dis)

Ext.P2: True copy of the judgment dated 19-12-2002 in O.P 16325/94 passed by this Hon'ble Court

Ext.P3: True copy of the objection filed by the 1st petitioner before Respondent Nos 1 to 3

Ext.P4: True copy of the objection filed by the 2nd petitioner before the Respondents

Ext.P5: True copy of the representation filed by the Parent Teachers Association of the 3rd petitioner before the 2nd Respondent

Ext.P6: True copy of the letter No.C2.1055/92 dated 12-03-2003 issued by the 1st respondent

Ext.P7: True copy of the news items published in Malayala Manorama daily dated 23-2-2003

RESPONDENT'S EXHIBITS

Ext.R4(a): True copy of sketch showing the exact lying of cemetery and adjacent dwelling houses.

//True copy//

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KURIAN JOSEPH, J.

W.P.(C) No.18656 of 2003

Dated 28th March, 2007.

J U D G M E N T

In the matter of burial of dead bodies, there is already an interim order in I.A.No.4556/03, which reads as follows :-

> "There will be an interim direction that the second respondent should not permit or aid burial of dead bodies in any cremation ground which does not enjoy a licence and as referred to in the Orignal Petition."

It is submitted that in view of the above order, no further orders are necessary in the writ petition. It is accordingly closed.

KURIAN JOSEPH, JUDGE.

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KURIAN JOSEPH, J

O.P.No.18656 of 2003 (U)

J U D G M E N T

Dated 28th March, 2007.